

**IN THE SUPERIOR COURT OF DOUGLAS COUNTY
STATE OF GEORGIA**

HUGH MEYERS,)	
Plaintiff,)	
)	Civil Action No.
v.)	
)	
SHEILA J. MILLER,)	
Individually and in her official capacity)	
As Principal of Beulah Elementary School,)	
Defendant)	

VERIFIED COMPLAINT

Plaintiff states the following as his Complaint:

1. This is a Complaint for declaratory and injunctive relief, seeking a declaration that, effective July 1, 2014, it no longer will be a crime in Georgia to carry a weapon on a college campus for a weapons carry licensee and an injunction preventing Defendant from arresting, citing, or prosecuting Defendant for carrying a firearm on Defendant's property.
2. Plaintiff Hugh Myers is a natural person who resides in Douglas County, Georgia and whose child attends school at Beulah Elementary School ("BES").
3. BES is owned and operated by the Douglas County School District ("DCSD").
4. Defendant Sheila J. Miller ("Miller") is the principal of BES.
5. Myers possesses a validly issued Georgia Weapons Carry License ("GWL") issued to him pursuant to O.C.G.A. §16-11-129.
6. DCSD is a public school system.
7. Under current law, BES is in a "school safety zone," as that term is defined by O.C.G.A. §16-11-127.1.

8. Also under current law, it is a felony for a non-GWL holder to carry a weapon in a school safety zone and a misdemeanor for a GWL holder to carry a weapon in a school safety zone.
9. During the legislative session of 2013-2014, the General Assembly passed House Bill 826.
10. The governor of Georgia signed HB 826 into law and it has been enrolled as Act 575.
11. Act 575 provides, *inter alia*, that GWL holders are exempt from the provisions against carrying a weapon in a school safety zone.
12. On or about May 19, 2014, Myers wrote an email to Miller to verify that BES and DCSD will recognize the changes brought about by Act 575, and in particular the decriminalization of carrying weapons in school safety zones for GWL holders.
13. In his email, Myers cited Act 575 (referring to it as HB 826) and the decriminalization provisions.
14. Myers also informed Miller that Myers is a GWL holder.
15. On or about May 21, 2014, Miller responded to Myers' email, and told Myers that even after July 1, 2014, it will be a crime for GWL holders to carry firearms on DCSD property (subject to certain exceptions that are not germane to this case).
16. Myers visits BES for the purpose of participating in the education of his child, on a frequent basis.
17. Myers desires to carry a weapon at BES in case of confrontation, and he would do so if it were legal for him to do so.

18. As a result of Miller's email, Myers is fear of arrest and prosecution for carrying a weapon at BES, even though it will not be criminal for him to do so after July 1, 2014.

Count 1 – Violations of O.C.G.A. § 16-11-127.1

19. Miller and Myers have an actual controversy between them regarding the effects of Act 575 on Myers.

20. Even if there were no actual controversy between Miller and Myers, Myers desires to confirm his right after July 1, 2014 to carry a firearm on Defendant's property without fear of detention, prosecution, imprisonment, and fine.

Relief Demanded

Myers demands the following relief:

21. A declaration that as of July 1, 2014, GWL holders are exempt from the prohibition in O.C.G.A. 16-11-127.1 of carrying a weapon in a school safety zone.

22. An injunction prohibiting Miller from arresting, citing, fining, or prosecuting Myers for carrying a weapon in a school safety zone for as long as Myers maintains a GWL.

23. An interlocutory injunction prohibiting Miller from arresting, citing, fining, or prosecuting Myers for carrying a weapon in a school safety zone during the pendency of this action, for as long as Myers maintains a GWL.

24. The costs of bringing and maintaining this action.

25. A jury to try this case.

26. Any other relief the court deems proper.

John R. Monroe,
Attorney for Plaintiff
9640 Coleman Road
Roswell, GA 30075
678-362-7650
State Bar No. 516193

VERIFICATION

I verify under penalty of perjury that the facts alleged in the foregoing Complaint are true.

Hugh Myers

The above-named Hugh Myers appeared before me on May ____, 2014 in

_____ County, _____ and swore to and subscribed to this document.

Notary Public

My commission expires: